THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :23202 of 2007

DATED:02-11-2007

BETWEEN:

Inapudi Bhanu Prakash.

..... PETITIONER

AND

State of A.P.,
Rep., by its Secretary(Revenue),
Secretariat,
Hyderabad & 3 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 4th respondent in passing the impugned order, dated 07-09-2007, as illegal and arbitrary.

3. The application of the petitioner for grant of pattadar pass books and title deeds under the A.P.Rights in Land and Pattadar Pass Books Act, 1971 (for brevity, 'the Act') has been rejected by the 4th respondent-Tahsildar, Machilipatnam vide his endorsement in RCB.No.1647/07, dated 07-09-2007, on the ground that the said lands are the surplus lands as per C.C.No.2062/D/75.

4. I am of the opinion that if any application has been rejected by the Mandal Revenue Officer, against every such order either recording or refusing to make an amendment in the revenue records, appeal lies to the Revenue Divisional Officer under Section 5(5) of the Act.

5. Accordingly, Writ Petition is dismissed with a liberty to file an appeal before the Revenue Divisional Officer

against the said order of the 4th respondent.

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V.ESWARAIAH,J

02th November, 2007.

Note:

Furnish C.C. of the order
within three days.

B/o
Tsy